



# City of Carmel

## **Carmel Board of Zoning Appeals Hearing Officer Monday, November 28, 2005**

The meeting was held at 5:15 PM in the Caucus Rooms of City Hall, Carmel, Indiana on Monday, November 28, 2005. The Hearing Officer was Kent Broach.

Department of Community Services Staff in attendance was Angie Conn. John Molitor, Legal Counsel, was also present.

### **D. Public Hearing:**

#### **1-2d. Gray Property - Barn**

The applicant seeks the following development standards variances:

**Docket No. 05110007 V      ZO Chapter 25.01.01.A.4.a      accessory built prior to principal**

**Docket No. 05110008 V      ZO Chapter 25.01.01.B.1      height > 18-ft**

The site is located at 4100 W 131<sup>st</sup> Street and is zoned S-1/Residence - Estate.

Filed by Peter & Kathy Gray.

Present for the Petitioner: Peter Gray. They have a five-acre parcel with an existing dilapidated structure which they use for storage. They would like to replace that with a new updated structure that would be more fitting to the area.

Members of the public were invited to speak in favor or opposition to the petition; no one appeared.

Public Hearing was closed.

Mrs. Conn gave the Department Report. This will not negatively impact the area and the Department recommended positive consideration.

Mr. Broach **APPROVED** Docket Nos. **05110007 and 05110008V, Gray Property – Barn.**

#### **3-5d. Schiering Property**

The applicant seeks the following development standards variances:

**Docket No. 05100012 V      ZO Chapter 5.04.02.D      lot area**

**Docket No. 05100013 V      ZO Chapter 5.04.03.E.1      lot width**

**Docket No. 05100014 V      ZO Chapter 5.04.03.A      front yard**

The site is located at 5316 E 126<sup>th</sup> Street. It is zoned S-1/Residence-Low Density.

Filed by John & Madelaine Schiering.

Present for the Petitioner: John and Madelaine Schiering. Their house is built on two lots and they are seeking the variances to allow the second parcel to be buildable. The building specs in the packet are suggestions for a comparable home in size and architectural format for the neighborhood.

Members of the public were invited to speak in favor or opposition to the petition; no one appeared.

Public Hearing was closed.

Mrs. Conn gave the Department Report. She pointed out the letter from the adjacent property owner, Mr. Taggart, which was requesting the variances be denied. The front yard will be reduced by ten feet, the lot area will be 1266 square feet and the lot width will be reduced 11 feet. The Department recommended positive consideration of the dockets with the condition that the right-of-way be dedicated pursuant to the Thoroughfare Plan.

Discussion followed regarding Mr. Taggart's letter.

Mr. Schiering stated that they had made the agreement to the dedication. The neighbor, Mr. Taggart, had not talked to the Schiering's regarding his concerns. His home is historic and not in keeping with the neighborhood. This vacant land looks like it is part of Mr. Taggart's property. They maintain landscaping that is consistent with his.

Mr. Broach **APPROVED Docket Nos. 05100012V, 05100013V and 05100014V, Schiering Property.**

A five minutes recess was taken, until 5:30 PM.

**6-7d. Penn Mark Plaza, Bldg 1**

The applicant seeks the following development standards variances:

**Docket No. 05100015 V      ZO Chapter 25.07.02-10.b      sign type**

**Docket No. 05100016 V      ZO Chapter 3.07      definition of sign area**

The site is located at 11595 N Meridian and is zoned B-6/Business within the US 31 Overlay.

Filed by Steve Granner of Bose McKinney & Evans for Zeller Realty Group.

Present for the Petitioner: Steve Granner and Tristan Glover with Zeller Realty. Mr. Granner stated that they had received Subdivision committee approval with the conditions that the sign and logo have a maximum of 5-foot separation and that the square footage allowed be calculated with Sign Chart B for freeways. These variances will allow them to transfer the signage rights to the primary street frontage on Meridian and to figure the square footage of the logo separately from the letters.

Members of the public were invited to speak in favor or opposition to the petition; no one appeared.

Public Hearing was closed.

Mrs. Conn gave the Department Report. The Department has no issues with calculating the sign square footage in that manner and recommended positive consideration.

Mr. Broach **APPROVED Docket Nos. 05100015 and 05100016V, Penn Mark Plaza, Bldg 1.**

**8d. Spring Mill Medical**

The applicant seeks the following development standards variance:

**Docket No. 05100017 V ZO Chapter 3.07 definition of *directional traffic sign***

The site is located at the northwest corner of 103<sup>rd</sup> & Illinois Streets and is zoned B-3 & B-6/Business. Filed by Paul Reis of Drewry Simmons Vornehm for Spring Mill Medical, LLC.

Present for the Petitioner: Paul Reis. These directional signs will be greater than 3 square feet and more than 3 feet from the ground. They will be on the canopy and be approximately 13 square feet each and approximately 12 feet above the ground. The signs will direct patients to the north entrance and delivery trucks to the west entrance.

Members of the public were invited to speak in favor or opposition to the petition; no one appeared.

Public Hearing was closed.

Mrs. Conn gave the Department Report. The Department sees no issues with this request that will allow for better visibility and recommended positive consideration.

Mr. Broach **APPROVED Docket No. 05100017, Spring Mill Medical.**

**E. Old Business.**

There was no Old Business.

**F. New Business.**

There was no New Business.

**G. Adjourn.**

The meeting was adjourned at 5:40 PM.

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Kent Broach, Hearing Officer

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Connie Tingley, Secretary